

**UNOFFICIAL VERSION**

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**MONDAY, FEBRUARY 27, 2012**

**FIFTY-SIXTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

**PRAYER**

The proceedings were opened with prayer by Reverend William Barger of First Presbyterian Church in Dickson, Tennessee, a guest of Senator Summerville.

**PLEDGE OF ALLEGIANCE**

Senator Summerville led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 33

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

**PRESENTATION**

Senator Southerland presented **Senate Joint Resolution No. 467** to Mr. Doyle Lawson and Quicksilver.

**PRESENTATION**

Senator Ketron introduced representatives of the Tennessee Chapters of the Boy Scouts of America who presented the 2011 report of the State.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 3786** be passed on first consideration, which motion prevailed.

**INTRODUCTION OF BILL**

The Speaker announced that the following bill was filed for introduction and passed first consideration:

**Senate Bill No. 3786** by Senator Tracy.

Rutherford County -- As introduced, subject to local approval, removes requirement that persons be issued wheel tax decals for display on license plates as evidence of having paid such tax. Amends Chapter 329 of the Private Acts of 1970; as amended.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 2196, 2229, 2328, 2376, 2378, 2407, 2414, 2455, 2456, 2475, 2496, 2500, 2532, 2540, 2561, 2598, 2632, 2682, 2683, 2729, 2744, 2756, 2850, 2886, 2913, 2947 and 3135** be passed on first consideration, which motion prevailed.

**HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 2196** -- Beer -- As introduced, restores language to clarify that the governmental entity, committee or board that issues a beer permit or license is the governmental entity to revoke or suspend such permit or license. Amends TCA Section 57-5-108.

**House Bill No. 2229** -- Education -- As introduced, requires high schools to forward vaccination records to higher education institution on behalf of dual enrollment student upon request of the student's parent or guardian; authorizes Commissioner of Education to promulgate rules to implement this act. Amends TCA Title 49 and Title 68, Chapter 5.

**House Bill No. 2328** -- Teachers, Principals and School Personnel -- As introduced, requires local board of education to consider a transferring teacher's evaluations from a prior LEA in making tenure decisions; allows the local board to shorten the probationary period for a teacher transferring into the LEA under certain circumstances. Amends TCA Section 49-1-302 and Title 49, Chapter 5.

**House Bill No. 2376** -- Driver Licenses -- As introduced, establishes that the submission of certain documents is considered compliance with certain requirements for reinstatement of driver license. Amends TCA Section 55-50-321(c).

**House Bill No. 2378** -- TennCare -- As introduced, revises various provisions of the "Medicaid False Claims Act". Amends TCA Title 71, Chapter 5.

**House Bill No. 2407** -- Funeral Directors and Embalmers -- As introduced, extends the date from December 31, 2010, to June 30, 2011, for apprentices and mortuary school students to complete all requirements to become licensed by the board as a funeral director or embalmer. Amends TCA Section 62-5-312.

**House Bill No. 2414** -- Education, Curriculum -- As introduced, requires the office of research and education accountability and the Department of Health to do studies on AIDS curricula; requires department to survey other state health departments AIDS public outreach and education programs. Amends TCA Title 49.

**House Bill No. 2455** -- Special License Plates -- As introduced, creates a "Tennessee Tennis" new specialty earmarked license plate; 50 percent of the proceeds from the sale of the plates earmarked for Tennessee Tennis Association to promote and develop the growth of tennis in Tennessee. Amends TCA Title 55, Chapter 4.

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**House Bill No. 2456** -- Guardianship -- As introduced, authorizes a senior psychological examiner to provide an examination and sworn report to a court concerning conservatorship. Amends TCA Title 34 and Title 63.

**House Bill No. 2475** -- Highway Signs -- As introduced, designates segment of State Route 235 in Dickson County to honor the late Deputy Sheriff Richard Keith Bellar.

**House Bill No. 2496** -- Comptroller, State -- As introduced, removes references to the office of the comptroller of the treasury in connection with the judicial cost accountant. Amends TCA Title 8 and Title 24.

**House Bill No. 2500** -- Graysville -- As introduced, subject to local approval, requires the mayor of Graysville be elected on a ballot separate from that of candidates for commissioner. Amends Chapter 230 of the Private Acts of 1992; as amended.

**House Bill No. 2532** -- Sunset Laws -- As introduced, extends the Tennessee higher education commission, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 7.

**House Bill No. 2540** -- Sunset Laws -- As introduced, extends the state board for alarm systems contractors, June 30, 2016. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 32.

**House Bill No. 2561** -- Public Funds and Financing -- As introduced, allows use of federally insured deposits instead of certificate of deposit. Amends TCA Section 9-1-118 and Section 9-4-504.

**House Bill No. 2598** -- Special License Plates -- As introduced, authorizes issuance of new specialty earmarked license plates for East Tennessee Children's Hospital; and allocates 50 percent of the proceeds from such plates to the hospital. Amends TCA Title 55, Chapter 4.

**House Bill No. 2632** -- Hospitals and Healthcare Facilities -- As introduced, revises the requirements for a nursing home's certificate of need for qualified partial relocation of certain nursing homes. Amends TCA Title 68, Chapter 11, Part 16.

**House Bill No. 2682** -- Highway Signs -- As introduced, names bridge on State Route 99 in Rutherford County in honor of the late Lance Corporal Justin Kyle Lewter.

**House Bill No. 2683** -- Landlord and Tenant -- As introduced, limits application of the "Uniform Residential Landlord and Tenant Act" to counties having a population of more than 75,000 instead of 68,000; change does not affect the current applicability of the act. Amends TCA Section 66-28-102.

**House Bill No. 2729** -- Safety, Dept. of -- As introduced, directs the department to conduct a study of motorcycle passenger safety, emphasizing the safety of motorcycle riders and passengers under eighteen, and report its results and recommendations to the House and Senate Transportation Committees by February 1, 2013. Amends TCA Title 55.

**House Bill No. 2744** -- Child Custody and Support -- As introduced, amends the Criminal Injuries Compensation Fund to provide an attachment or lien on the judgment to satisfy child support arrearages. Amends TCA Title 29, Chapter 13.

**House Bill No. 2756** -- Special License Plates -- As introduced, authorizes issuance of special license plates for Concerns of Police Survivors (COPS). Amends TCA Title 55, Chapter 4.

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**House Bill No. 2850** -- Fireworks -- As introduced, revises the population figures from any county in excess of 200,000 in the present law to any county in excess of 335,000 based on the recent federal census which effectively means fireworks cannot be sold within the four largest counties; a conforming change removes language from the current law which would have permitted any county to continue selling fireworks if its population grew past 200,000 an exemption which applied to Rutherford County; such language is no longer necessary with the increased population to 335,000. Amends TCA Section 68-104-112.

**House Bill No. 2886** -- Highway Signs -- As introduced, prohibits outdoor advertising on State Route 840 in Williamson County between State Route 246 and State Route 100; clarifies that former Interstate 181 in Washington and Sullivan counties is now called Interstate 26. Amends TCA Section 54-21-118.

**House Bill No. 2913** -- Landlord and Tenant -- As introduced, permits landlord to terminate rental agreement if tenant creates a hazardous or unsanitary, instead of hazardous and unsanitary, condition on the property; deletes requirement that landlord notify tenant at time of lease signing of location of separate account for security deposits. Amends TCA Title 66, Chapter 28.

**House Bill No. 2947** -- Cemeteries -- As introduced, exempts from income taxes the income from trust funds for perpetual care of a cemetery. Amends TCA Title 67.

**House Bill No. 3135** -- Motor Vehicles -- As introduced, clarifies that certain trailers and semitrailers used in transporting rolled hay bales, rather than rolled alfalfa bales, are exempt from maximum width and height requirements for motor and other vehicles. Amends TCA Section 55-7-202.

**MOTION**

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 3780 through 3785** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

**Senate Bill No. 3780** Local bill -- held on desk.

**Senate Bill No. 3781** Local bill -- held on desk.

**Senate Bill No. 3782** Local bill -- held on desk.

**Senate Bill No. 3783** Local bill -- held on desk.

**Senate Bill No. 3784** Local bill -- held on desk.

**Senate Bill No. 3785** Local bill -- held on desk.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 615 through 625**; and **Senate Resolution No. 85** be passed on first consideration and lie over, which motion prevailed.

**INTRODUCTION OF RESOLUTIONS**

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 615** by Senator Johnson.  
Memorials, Recognition -- 290th Military Police Brigade.

**Senate Joint Resolution No. 616** by Senator Johnson.  
Memorials, Recognition -- 304th Military Police Battalion.

**Senate Joint Resolution No. 617** by Senators Overbey and Southerland.  
Memorials, Recognition -- Callie Deanda, Prudential Spirit of Community Award.

**Senate Joint Resolution No. 618** by Senator Faulk.  
Memorials, Professional Achievement -- Debbie Shedden, 2011 C. Hal Henard Distinguished Service Award/School Board Member of the Year.

**Senate Joint Resolution No. 619** by Senator Southerland.  
Memorials, Professional Achievement -- Donna Carter, Teacher of the Year, Whitesburg Elementary School.

**Senate Joint Resolution No. 620** by Senator Southerland.  
Memorials, Professional Achievement -- Tiffany Fickle, Teacher of the Year, East Ridge Middle School.

**Senate Joint Resolution No. 621** by Senator Southerland.  
Memorials, Professional Achievement -- Jean Shadow, Teacher of the Year, Russellville Elementary.

**Senate Joint Resolution No. 622** by Senator Southerland.  
Memorials, Professional Achievement -- Sharon Yount, Teacher of the Year, John Hay Elementary School.

**Senate Joint Resolution No. 623** by Senator Southerland.  
Memorials, Professional Achievement -- Robin Roark, Teacher of the Year, Lincoln Elementary.

**Senate Joint Resolution No. 624** by Senator Southerland.  
Memorials, Professional Achievement -- Stephanie Dallmann, Teacher of the Year, Manley Elementary School.

**Senate Joint Resolution No. 625** by Senator Finney.  
Memorials, Recognition -- Youth Town of Tennessee, 50th anniversary.

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**Senate Resolution No. 85** by Senator Harper.

Memorials, Congratulations -- Junior League of Nashville, 90th anniversary, February 27, 2012, Day on the Hill.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 202, 535, 557, 559, 561, 563, 564, 568 and 684; Senate Joint Resolutions Nos. 602 through 614; and Senate Resolution No. 84** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 202** -- Memorials, Congress -- Expresses support for continued federal funding of Erwin and Dale Hollow National Fish Hatcheries.

The Speaker announced that he had referred House Joint Resolution No. 202 to the Committee on Energy and Environment.

**House Joint Resolution No. 535** -- Naming and Designating -- "Certified Government Financial Manager Month", March, 2012.

The Speaker announced that he had referred House Joint Resolution No. 535 to the Committee on State and Local Government.

**House Joint Resolution No. 557** -- Memorials, Recognition -- Recognizes installation of signage, seal, and motto at Arzo Carson TBI State Office Building; honors donors for signage; provides for maintenance of certain legislation at such building.

The Speaker announced that he had referred House Joint Resolution No. 557 to the Committee on State and Local Government.

**House Joint Resolution No. 559** -- General Assembly, Confirmation of Appointment -- Michael Edwards, State Board of Education.

The Speaker announced that he had referred House Joint Resolution No. 559 to the Committee on Education.

**House Joint Resolution No. 561** -- General Assembly, Confirmation of Appointment -- Lonnie E. Roberts, State Board of Education.

The Speaker announced that he had referred House Joint Resolution No. 561 to the Committee on Education.

**House Joint Resolution No. 563** -- General Assembly, Confirmation of Appointment -- George P. Jaynes, Tennessee Ethics Commission.

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The Speaker announced that he had referred House Joint Resolution No. 563 to the Committee on State and Local Government.

**House Joint Resolution No. 564** -- General Assembly, Confirmation of Appointment -- Carolyn Pearre, State Board of Education.

The Speaker announced that he had referred House Joint Resolution No. 564 to the Committee on Education.

**House Joint Resolution No. 568** -- General Assembly, Confirmation of Appointment -- Craig V. Powers, Board of Directors of Tennessee Education Lottery Corporation.

The Speaker announced that he had referred House Joint Resolution No. 568 to the Committee on State and Local Government.

**House Joint Resolution No. 684** -- Memorials, Recognition -- Hannah Wright, Prudential Spirit of Community Award recipient.

The Speaker announced that he had referred House Joint Resolution No. 684 to the Committee on Calendar.

**Senate Joint Resolution No. 602** -- Memorials, Sports -- Blackman High School cheerleading squad, National Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 602 to the Committee on Calendar.

**Senate Joint Resolution No. 603** -- Memorials, Professional Achievement -- Steven C. Smith, Sidney R. Rabb Award.

The Speaker announced that he had referred Senate Joint Resolution No. 603 to the Committee on Calendar.

**Senate Joint Resolution No. 604** -- Memorials, Professional Achievement -- Patty Starnes, Teacher of the Year, Alpha Elementary School.

The Speaker announced that he had referred Senate Joint Resolution No. 604 to the Committee on Calendar.

**Senate Joint Resolution No. 605** -- Memorials, Professional Achievement -- Lori Horner, Teacher of the Year, Hillcrest Elementary School.

The Speaker announced that he had referred Senate Joint Resolution No. 605 to the Committee on Calendar.

**Senate Joint Resolution No. 606** -- Memorials, Professional Achievement -- Kathie Franzke, Teacher of the Year, West View Middle School.

The Speaker announced that he had referred Senate Joint Resolution No. 606 to the Committee on Calendar.

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**Senate Joint Resolution No. 607** -- Memorials, Professional Achievement -- Sharon Lindsey, Teacher of the Year, Miller Boyd Alternative School.

The Speaker announced that he had referred Senate Joint Resolution No. 607 to the Committee on Calendar.

**Senate Joint Resolution No. 608** -- Memorials, Professional Achievement -- Karen Rogers, Teacher of the Year, East High School.

The Speaker announced that he had referred Senate Joint Resolution No. 608 to the Committee on Calendar.

**Senate Joint Resolution No. 609** -- Memorials, Professional Achievement -- Michelle Newman, Teacher of the Year, Witt Elementary School.

The Speaker announced that he had referred Senate Joint Resolution No. 609 to the Committee on Calendar.

**Senate Joint Resolution No. 610** -- Memorials, Professional Achievement -- Cari S. Ashford, Teacher of the Year, Morristown-Hamblen High School West.

The Speaker announced that he had referred Senate Joint Resolution No. 610 to the Committee on Calendar.

**Senate Joint Resolution No. 611** -- Memorials, Professional Achievement -- Jenny Ryan, Teacher of the Year, Union Heights Elementary.

The Speaker announced that he had referred Senate Joint Resolution No. 611 to the Committee on Calendar.

**Senate Joint Resolution No. 612** -- Memorials, Professional Achievement -- Jenni Seal, Teacher of the Year, Lincoln Heights Middle School.

The Speaker announced that he had referred Senate Joint Resolution No. 612 to the Committee on Calendar.

**Senate Joint Resolution No. 613** -- Memorials, Professional Achievement -- Kathy Cardwell, Teacher of the Year, West Elementary School.

The Speaker announced that he had referred Senate Joint Resolution No. 613 to the Committee on Calendar.

**Senate Joint Resolution No. 614** -- Memorials, Professional Achievement -- Eva Victoria Price, Teacher of the Year, Meadowview Middle School.

The Speaker announced that he had referred Senate Joint Resolution No. 614 to the Committee on Calendar.

**Senate Resolution No. 84** -- Memorials, Government Officials -- Encourages the President of the United States and the secretary of health and human services to restore certain protections of conscience to certain religiously affiliated entities concerning the coverage of contraceptives as a health insurance benefit.



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The Speaker announced that he had referred Senate Resolution No. 84 to the Committee on Finance, Ways and Means.

**CONSENT CALENDAR NO. 1**

**Senate Joint Resolution No. 602** -- Memorials, Sports -- Blackman High School cheerleading squad, National Champions.

**Senate Joint Resolution No. 603** -- Memorials, Professional Achievement -- Steven C. Smith, Sidney R. Rabb Award.

**Senate Joint Resolution No. 604** -- Memorials, Professional Achievement -- Patty Starnes, Teacher of the Year, Alpha Elementary School.

**Senate Joint Resolution No. 605** -- Memorials, Professional Achievement -- Lori Horner, Teacher of the Year, Hillcrest Elementary School.

**Senate Joint Resolution No. 606** -- Memorials, Professional Achievement -- Kathie Franzke, Teacher of the Year, West View Middle School.

**Senate Joint Resolution No. 607** -- Memorials, Professional Achievement -- Sharon Lindsey, Teacher of the Year, Miller Boyd Alternative School.

**Senate Joint Resolution No. 608** -- Memorials, Professional Achievement -- Karen Rogers, Teacher of the Year, East High School.

**Senate Joint Resolution No. 609** -- Memorials, Professional Achievement -- Michelle Newman, Teacher of the Year, Witt Elementary School.

**Senate Joint Resolution No. 610** -- Memorials, Professional Achievement -- Cari S. Ashford, Teacher of the Year, Morristown-Hamblen High School West.

**Senate Joint Resolution No. 611** -- Memorials, Professional Achievement -- Jenny Ryan, Teacher of the Year, Union Heights Elementary.

**Senate Joint Resolution No. 612** -- Memorials, Professional Achievement -- Jenni Seal, Teacher of the Year, Lincoln Heights Middle School.

**Senate Joint Resolution No. 613** -- Memorials, Professional Achievement -- Kathy Cardwell, Teacher of the Year, West Elementary School.

**Senate Joint Resolution No. 614** -- Memorials, Professional Achievement -- Eva Victoria Price, Teacher of the Year, Meadowview Middle School.

Senator Faulk moved that all Senate Joint Resolutions be adopted, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

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Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**MOTION**

Senator Faulk moved that **Senate Bill No. 3392** be referred to Committee on Education, which motion prevailed.

**CONSENT CALENDAR NO. 2**

Objections having been raised, the following bills were placed at the heel of the calendar for Thursday, March 1, 2012, pursuant to Rule 38: **Senate Bills Nos. 3116 and 3352.**

**Senate Bill No. 2238** -- Driver Licenses -- As introduced, establishes that the submission of certain documents is considered compliance with certain requirements for reinstatement of driver license. Amends TCA Section 55-50-321(c).

On motion, Senate Bill No. 2238 was made to conform with **House Bill No. 2376.**

On motion, House Bill No. 2376, on same subject, was substituted for Senate Bill No. 2238.

**Senate Bill No. 2337** -- Sunset Laws -- As introduced, extends the soil scientist advisory committee, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 2.

**Senate Bill No. 2353** -- Physicians and Surgeons -- As introduced, alters the definition of a physician in the "Preferred Provider Organization Transparency Act" to include chiropractic physicians, medical doctor or an osteopathic physician. Amends TCA Section 56-60-102(10).

**Senate Bill No. 2396** -- Boards and Commissions -- As introduced, requires the Commissioner of Finance and Administration by October 31 of each year to notify the division of regulatory boards and the division of health-related boards the amount of board fees to be set for the subsequent fiscal year. Amends TCA Section 4-29-121 and Section 4-3-1011.

**Senate Bill No. 2409** -- Public Funds and Financing -- As introduced, allows use of federally-insured deposits instead of certificate of deposit. Amends TCA Section 9-1-118 and Section 9-4-504.

On motion, Senate Bill No. 2409 was made to conform with **House Bill No. 2561.**

On motion, House Bill No. 2561, on same subject, was substituted for Senate Bill No. 2409.

**Senate Bill No. 2872** -- Motor Vehicles -- As introduced, prohibits the disclosure of traffic citations from red-light cameras to consumer reporting agencies; prohibits such information from being identified in credit reports. Amends TCA Section 55-8-198.

**Senate Bill No. 3024** -- Education, Higher -- As introduced, declares that teacher effect data made available to teacher preparation programs shall not be public records and shall be used only in evaluating the preparation programs. Amends TCA Section 49-1-606.

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**Senate Bill No. 3213** -- CoverTN -- As introduced, abolishes CoverTN Advisory Committee. Amends TCA Title 56, Chapter 7, Part 30.

**Senate Bill No. 3382** -- Boards and Commissions -- As introduced, makes permissive instead of mandatory the provisions for the Home Builders Association of Tennessee, Inc., submitting list of recommended persons to the governor and the governor consulting with the association about its recommendations prior to the governor making appointment to the state board for licensing contractors; authorizes other interested home builder groups to submit lists of qualified persons. Amends TCA Title 4, Chapter 29 and Section 62-6-104.

**Senate Bill No. 3390** -- Funeral Directors and Embalmers -- As introduced, authorizes instead of requires that governor select some members of board of funeral directors and embalmers from lists of nominees submitted by Tennessee Funeral Directors Association and Tennessee Funeral Directors and Morticians Association, and other interested funeral director and mortician groups. Amends TCA Title 4, Chapter 29 and Section 62-5-201.

Senator Ford declared Rule 13 on **Senate Bill No. 3390**.

**House Joint Resolution No. 566** -- General Assembly, Confirmation of Appointment -- Pamela B. Martin, Tennessee Ethics Commission.

Senator Faulk moved that all House Joint Resolutions be concurred in; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**CONSENT CALENDAR NO. 3**

Objections having been raised, the following bill was placed at the heel of the calendar for Thursday, March 1, 2012, pursuant to Rule 38: **Senate Bill No. 2169**.

**Senate Bill No. 2266** -- Special License Plates -- As introduced, authorizes issuance of special license plates for Concerns of Police Survivors (COPS). Amends TCA Title 55, Chapter 4.

On motion, Senate Bill No. 2266 was made to conform with **House Bill No. 2756**.

On motion, House Bill No. 2756, on same subject, was substituted for Senate Bill No. 2266.

**Senate Bill No. 2274** -- Special License Plates -- As introduced, extends the time to meet the minimum order requirements for the American Red Cross new specialty earmarked plate by an additional year. Amends TCA Section 55-4-356.

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**Senate Bill No. 2359** -- Special License Plates -- As introduced, authorizes issuance of new specialty earmarked license plates for East Tennessee Children's Hospital; and allocates 50 percent of the proceeds from such plates to the hospital. Amends TCA Title 55, Chapter 4.

On motion, Senate Bill No. 2359 was made to conform with **House Bill No. 2598**.

On motion, House Bill No. 2598, on same subject, was substituted for Senate Bill No. 2359.

**Senate Bill No. 2367** -- Special License Plates -- As introduced, extends the time to meet the minimum order requirements for the Donate Life new specialty earmarked plate by an additional year. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 2382** -- Special License Plates -- As introduced, authorizes issuance of Ronald McDonald House new specialty earmarked license plate; allocates 50 percent of sale proceeds to Ronald McDonald House, for distribution to Tennessee chapters to further the mission of improving health, education and well-being of children. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 2479** -- Special License Plates -- As introduced, creates a "Tennessee Tennis" new specialty earmarked license plate; 50 percent of the proceeds from the sale of the plates earmarked for Tennessee Tennis Association to promote and develop the growth of tennis in Tennessee. Amends TCA Title 55, Chapter 4.

On motion, Senate Bill No. 2479 was made to conform with **House Bill No. 2455**.

On motion, House Bill No. 2455, on same subject, was substituted for Senate Bill No. 2479.

**Senate Bill No. 2755** -- Special License Plates -- As introduced, authorizes issuance of Brain Injury Awareness new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to Brain Injury Association of Tennessee. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 3071** -- Special License Plates -- As introduced, authorizes issuance of Autism Awareness new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to three autism support organizations. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 3250** -- Highway Signs -- As introduced, directs the Department of Transportation to erect signs designating the route to T.O. Fuller State Park from Graceland Mansion.

**Senate Bill No. 3260** -- Highway Signs -- As introduced, designates portion of U.S. Highway 61 in Memphis as "The Blues Trail".

**Senate Bill No. 3353** -- Special License Plates -- As introduced, authorizes issuance of Almost Home Animal Rescue new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to such organization to rescue and relocate animals scheduled for euthanasia. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 3556** -- Highway Signs -- As introduced, names bridge on U.S. 64 in Giles County in honor of the late James E. Wells.

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Senator Faulk moved that all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**CALENDAR**

**Senate Bill No. 2166** -- Law Enforcement -- As introduced, expands, subject to certain restrictions, the private universities or colleges that are permitted to have police forces. Amends TCA Section 49-7-118.

Senator Beavers moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting subdivision (4) of subsection (g) of the amendatory language of Section 1 and substituting instead the following:

(4) No person shall be appointed as a special deputy or be commissioned as a campus police officer by a private university or college under this subsection (g), unless the person proves to the sheriff of the county in which the main campus is located that the person's financial responsibility is in accordance with the terms of § 8-8-303(c) and the person has successfully completed the certification requirements of the Peace Officers Standards and Training Commission (POST), or at least the equivalent thereof.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2166**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

**MOTION**

Senator Finney moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 625**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**Senate Joint Resolution No. 625** -- Memorials, Recognition -- Youth Town of Tennessee, 50th anniversary.

On motion of Senator Finney, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 625** was adopted.

A motion to reconsider was tabled.

**CALENDAR**

**Senate Bill No. 2167** -- Alcoholic Beverages -- As introduced, requires Alcoholic Beverage Commission to promulgate rules and regulations restricting sale of high alcohol content beverages. Amends TCA Title 57, Chapter 1; Title 57, Chapter 3; Title 57, Chapter 4 and Title 57, Chapter 5.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 1, Part 2, is amended by adding the following as a new section thereto:

57-1-213.

(a) The commission shall report to the state and local government committees of the Senate and House of Representatives by January 30, 2013 all of the following:

(1) A proposal of recommended rules and regulations regarding restricting the sale of certain high alcohol content beverages;

(2) A recommended definition of "high alcohol content beverage"; and

(3) Information on how other states regulate the sale of such high alcohol content beverages.

(b) The report described in subsection (a) may be submitted electronically.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

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Thereupon, **Senate Bill No. 2167**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

**Senate Bill No. 2222** -- Hospitals and Healthcare Facilities -- As introduced, requires that licensure renewals for health facilities licenses be due on the anniversary date of the license instead of June 30 of each year; also authorizes issuance of renewals for terms of no less than five months and no more than 18 months or year to year. Amends TCA Title 68, Chapter 11, Part 2.

Senator Overbey declared Rule 13 on **Senate Bill No. 2222**.

Senator Norris declared Rule 13 on **Senate Bill No. 2222**.

Senator Watson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the following language from the amendatory language of Section 1 of the bill as introduced:

Renewed licenses may be issued for terms of no less than five (5) months nor more than eighteen (18) months.

and by substituting instead the following language:

However, during the transition period, renewed licenses may be issued at prorated monthly renewal fee rates for terms of no less than five (5) months nor more than eighteen (18) months.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2222**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Mr. Speaker Ramsey moved that **Senate Bill No. 2227** be placed at the heel of the Calendar for today, which motion prevailed.

**Senate Bill No. 2304** -- Sunset Laws -- As introduced, extends the board of examiners for architects and engineers, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 2, Part 2.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION \_\_. Tennessee Code Annotated, Section 62-2-201(a), is amended by deleting subdivisions (1), (2) and (3) in their entirety and by substituting instead the following:

(1) The board shall include, where possible, at least one (1) female and at least one (1) member of a racial minority.

(2) This board shall consist of eight (8) members to be appointed by the governor, three (3) to be registered architects who may be appointed from lists of qualified persons submitted by interested architect groups including, but not limited to, the representative professional architects of the state, three (3) to be registered engineers who may be appointed from lists of qualified persons submitted by interested engineering groups including, but not limited to, the representative professional engineering society of the state, one (1) to be a registered landscape architect who may be appointed from lists of qualified persons submitted by interested landscape architect groups including, but not limited to, the representative professional landscape architecture society of the state, and one (1) to be a registered interior designer who may be appointed from lists of qualified persons submitted by interested interior design groups including, but not limited to, the representative professional interior design society of the state. The governor shall consult with interested statewide architect, engineering, landscape architect, and interior design groups including, but not limited to, the professional societies listed in this subdivision to determine qualified persons to fill the positions. The provisions of this subdivision shall not apply to the appointment of the public member of the board.

(3) In the event of a vacancy on the board for any reason and the governor failing to appoint a successor within three (3) months after the vacancy occurs, the board is empowered to fill that vacancy from the lists of qualified persons submitted by the interested groups including, but not limited to, the respective societies, until the governor makes an appointment as provided in subdivision (a)(2).

SECTION \_\_. Tennessee Code Annotated, Section 62-2-201(c), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) In addition to members serving on the board under the authority of subsections (a) and (b), the board shall also include as associate members three (3) registered engineers, who may be appointed by the governor from lists of qualified



persons submitted by interested engineering groups including, but not limited to, the representative professional engineering society of the state. The governor shall consult with such interested engineering groups to determine qualified persons to fill the positions.

SECTION \_\_. Tennessee Code Annotated, Section 62-2-202, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) The members of the board appointed under § 62-2-201(a) shall each have had at least ten (10) years' experience in the practice of architecture as a registered architect, ten (10) years' experience in the practice of engineering as a registered engineer, ten (10) years' experience in the practice of interior design as a registered interior designer or ten (10) years' experience in the practice of landscape architecture as a registered landscape architect, with no record of any formal disciplinary action. Such members shall each have been in responsible charge of work for at least five (5) years, and shall each have demonstrated an interest in improving the profession by involvement in a statewide association directly related to their profession for at least five (5) years. Each member shall be a citizen of the United States and shall have been a resident of Tennessee for five (5) years at the time of appointment. The ten-year requirement of experience as a registered practitioner shall not apply to the registered interior designer member until January 1, 2014; provided, however, that the member shall have been a registered interior designer for five (5) years and shall have ten (10) years' experience as an interior designer.

On motion, Amendment No. 1 was adopted.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting Section 2 of the introduced bill in its entirety and by substituting instead the following new language:

SECTION 2. Tennessee Code Annotated, Section 4-29-237(a), is amended by adding the following as a new, appropriately designated subdivision:

( ) Board of examiners for architects and engineers, created by § 62-2-201;

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2304**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**Senate Bill No. 2317** -- Sunset Laws -- As introduced, extends the Tennessee technology development corporation, June 30, 2017. Amends TCA Title 4, Chapter 14 and Title 4, Chapter 29.

Senator Norris declared Rule 13 on **Senate Bill No. 2317**.

On motion, Senate Bill No. 2317 was made to conform with **House Bill No. 2534**.

On motion, House Bill No. 2534, on same subject, was substituted for Senate Bill No. 2317.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following new language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION \_\_. Tennessee Code Annotated, Section 4-14-303, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) Seven (7) members of the board of directors shall represent and be appointed from the public sector. Three (3) representatives of the public sector shall be appointed by the governor, two (2) representatives shall be appointed by the Speaker of the House of Representatives and two (2) representatives shall be appointed by the Speaker of the Senate. One (1) representative of the public sector appointed by the governor may be selected from lists of qualified persons submitted by interested municipal and county organizations including, but not limited to, the Tennessee municipal league and the Tennessee county services association. The governor shall consult with such interested organizations to determine a qualified person to fill the position on the board.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2534**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	28
Noes . . . . .	1
Present, not voting . . .	2

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Watson, Yager and Mr. Speaker Ramsey--28.

Senator voting no was: Herron--1.

Senators present and not voting were: Haynes and Marrero--2.

A motion to reconsider was tabled.

**Senate Bill No. 2318** -- Sunset Laws -- As introduced, extends the advisory council on workers' compensation, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6, Part 1.

On motion, Senate Bill No. 2318 was made to conform with **House Bill No. 2527**.

On motion, House Bill No. 2527, on same subject, was substituted for Senate Bill No. 2318.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following new language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION \_\_\_. Tennessee Code Annotated, Section 50-6-121, is amended by deleting subdivision (a)(1)(D) in its entirety and by substituting instead the following:

(D)(i) The governor shall also appoint ten (10) non-voting members of the council as follows: one (1) to represent local governments, one (1) to represent insurance companies, five (5) to represent healthcare providers and three (3) attorneys. The non-voting local government representative may be appointed from lists of qualified persons submitted by interested municipal and county organizations including, but not limited to, the Tennessee Municipal League and the Tennessee County Services Association. The non-voting insurance company representative may be appointed from lists of qualified persons submitted by interested insurance organizations including, but not limited to, the Alliance of American Insurers and the American Insurance Association. One (1) non-voting healthcare provider representative may be appointed from lists of qualified persons submitted by interested medical organizations including, but not limited to, the Tennessee Medical Association and one (1) non-voting healthcare provider representative may be appointed from lists of qualified persons submitted by interested hospital organizations including, but not limited to, the Tennessee Hospital Association. One (1) non-voting healthcare provider representative shall be a chiropractor who is licensed in this state, one (1) non-voting healthcare provider representative shall be a physical therapist who is licensed in this state, and one (1) non-voting healthcare provider representative shall be an occupational therapist who is licensed in this state, and these members shall not receive reimbursement for travel expenses. The non-voting attorney members shall be appointed as follows: one (1) who shall primarily represent injured workers' compensation claimants, who may be appointed from lists of qualified persons submitted by interested justice organizations including, but not limited to, the Tennessee Association for Justice; one (1) who shall primarily represent employers or workers' compensation insurers, who may be appointed from lists of qualified persons submitted by interested defense lawyer organizations including, but not limited to, the Tennessee Defense Lawyers Association; and one (1) who may be appointed from lists of qualified persons submitted by interested legal organizations including, but not limited to, the Tennessee Bar Association.

(ii) The appointing authorities shall consult with interested groups including, but not limited to, the organizations listed in subdivision (D)(i) to determine qualified persons to fill positions on the council.

On motion, Amendment No. 1 was adopted.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting Section 2 of the introduced bill in its entirety and by substituting instead the following new language:

SECTION 2. Tennessee Code Annotated, Section 4-29-237(a), is amended by adding the following as a new, appropriately designated subdivision:

( ) Advisory council on workers' compensation, created by § 50-6-121;

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 2527**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	29
Noes . . . . .	2
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey --29.

Senators voting no were: Herron and Marrero--2.

Senator present and not voting was: Haynes--1.

A motion to reconsider was tabled.

**Senate Bill No. 2321** -- Sunset Laws -- As introduced, extends the state board for alarm systems contractors, June 30, 2016. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 32.

On motion, Senate Bill No. 2321 was made to conform with **House Bill No. 2540**.

On motion, House Bill No. 2540, on same subject, was substituted for Senate Bill No. 2321.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following new language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION \_\_. Tennessee Code Annotated, Section 62-32-306, is amended by deleting the section in its entirety and by substituting instead the following:

(a)(1) There is created a state board for licensing alarm systems contractors, called the "board" in this part. The board shall be composed of five (5) members, to be appointed by the governor. At least one (1) member shall be a person who is not engaged in the contracting business in any county of this state. The remaining members of the board shall be alarm systems contractors as defined in § 62-32-303, all of whom shall have been actively engaged in the business for a period of no less than four (4) years next preceding their appointment and may be appointed from lists of qualified persons submitted by interested burglar and fire alarm organizations including, but not limited to, the Tennessee Burglar and Fire Alarm Association. No more than two (2) members of the board shall be residents of the same grand division of the state. In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

(2) The governor shall consult with interested groups including, but not limited to, the organizations listed in subdivision (a)(1) to determine qualified persons to fill positions on the board.

(b) All subsequent appointments of successor members shall be made by the governor at the expiration of the respective terms of the members.

(c) In the event of a vacancy on the board for any reason and the governor failing to appoint a successor within ninety (90) days after the vacancy occurs, the board is empowered to fill that vacancy from lists of nominees submitted by the interested burglar and fire alarm organizations described in subsection (a), until the governor makes an appointment.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2540**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	31
Noes . . . . .	0
Present, not voting . . .	2

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

Senators present and not voting were: Haynes and Marrero--2.

A motion to reconsider was tabled.

Senator Bell moved that **Senate Bill No. 2341** be placed on the Calendar for March 5, 2012, which motion prevailed.

**Senate Bill No. 2357** -- Motor Vehicles -- As introduced, requires recreational vehicles leased to consumers to have working carbon monoxide detectors; requires all lease agreements for RVs to state that the vehicle is equipped with a working detector; allows court costs and attorney's fees in civil suits for damages from failure to comply with this requirement. Amends TCA Title 55, Chapter 9.

Senator Tracy moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following language to precede immediately the enacting clause:

WHEREAS, Bikers Who Care is an organization of motorcycle enthusiasts dedicated to supporting children's charities; and

WHEREAS, in September, 2011, the Clarksville BWC group held the 30th Annual Leslie W. Watson Memorial Toy Run and Benefit Party All Weekend event; and

WHEREAS, carbon monoxide poisoning kills hundreds of Americans each year; and

WHEREAS, this act honors the memory of the following individuals who were lost due to carbon monoxide poisoning in a recreational vehicle they shared on September 18, 2011:

Kathryn Elizabeth Watson Over, age 27  
Jonathan Michael Over, age 27  
Timothy B. Stone, age 39  
James F. Wall II, age 38  
Allison Elizabeth Bagwell-Wyatt, age 32; and

WHEREAS, the deceased left behind thirteen children, family, and friends; and

WHEREAS, it is fitting for this General Assembly to pause to remember these persons who came together to support children's charities and to take measures to avoid such tragedies in the future; now, therefore,

AND FURTHER AMEND by adding the following as a new Section 1 to the printed bill and by renumbering the subsequent sections accordingly:

SECTION 1. This act shall be known and may be cited as "The BWC 5 Act" in honor of the five Bikers Who Care members who died tragically on September 18, 2011.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2357**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 32  
Noes ..... 1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey,

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McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

Senator voting no was: Campfield--1.

A motion to reconsider was tabled.

**Senate Bill No. 2403** -- Game and Fish Laws -- As introduced, authorizes the issuance of hunting licenses to persons who are intellectually disabled, subject to their attending a hunter education course and hunting in the presence of persons who are hunter-education-certified and licensed to hunt. Amends TCA Title 70, Chapter 2, Part 1.

Senator Southerland moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the first sentence in subdivision (3) of Section 1 in its entirety and by substituting instead the following:

Hunting license to persons with intellectual disabilities who reside in this state and who are over the age of ten (10) years.

AND FURTHER AMEND by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. The commission shall promulgate rules and regulations in accordance with Title 4, Chapter 5, to specifically denote on the license that the person issued the license is a person with intellectual disabilities, and to create a one-time-only fee in an amount sufficient to cover the costs of implementing the provisions of this act.

On motion, Amendment No. 1 was adopted.

Senator Southerland moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting the last sentence in subdivision (3) of Section 1, which reads:

As used in this subdivision, unless the context otherwise requires "accompanied" means the licensed adult shall be able to take immediate control of the hunting device and "intellectually disabled" means a person whose disability is characterized by limitations both in intellectual functioning and in adaptive behavior; and

and substituting instead the following:

As used in this subdivision, unless the context otherwise requires, "accompanied" means the licensed adult shall supervise no more than one (1) person with intellectual disabilities at any one (1) time and shall be able to take immediate control of the hunting device. As used in this subdivision, unless the context otherwise requires, "persons with intellectual disabilities" means persons who possess an intellectual disability, as defined by § 33-1-101; and

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AND FURTHER AMEND by deleting from Section 2 the language "The commission shall promulgate rules and regulations in accordance with Title 4, Chapter 5," and substituting instead the language "The commission shall promulgate rules and regulations in accordance with Title 4, Chapter 5, to effectuate the purposes of this act, including, but not limited to, rules and regulations".

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2403**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**Senate Bill No. 2652** -- Utilities, Utility Districts -- As introduced, requires the utility management review board to develop a process to permit subscribers of a district to submit names for vacancies on the board of commissioners. Amends TCA Section 7-82-307.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-82-307 is amended by adding a new subdivision (a)(8) as follows:

(8) At least two (2) weeks prior to the board meeting at which the board of commissioners intends to select three nominees to certify to the county mayor or county mayors to fill an existing vacancy or upcoming vacancy on the utility district's board of commissioners under subdivisions (a)(4) and (a)(5), the utility district shall notify its customers in writing of the board's intent to select three (3) nominees to certify to the county mayor or county mayors at such board meeting and shall invite its customers to submit the names of qualified persons to be considered for nomination to fill the vacancy. The notice shall be:

(A) Mailed to the district's customers by including the notice on the customer's bill or by a separate insert with the customer's bill;

(B) Mailed to the district's customers by including the notice in a general mailing to its customers or by a separate insert with a general mailing to its customers; or

(C) Published in a newspaper of general circulation in the county or counties in which the utility district is created or recreated.



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SECTION 2. This act shall take effect upon January 1, 2013, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2652**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 32  
Noes . . . . . 1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

Senator voting no was: Summerville--1.

A motion to reconsider was tabled.

**Senate Bill No. 2766** -- TennCare -- As introduced, enacts the "Annual Coverage Assessment Act of 2012". Amends TCA Title 71, Chapter 5.

Senator Crowe declared Rule 13 on **Senate Bill No. 2766**.

Senator Norris declared Rule 13 on **Senate Bill No. 2766**.

Senator Overbey declared Rule 13 on **Senate Bill No. 2766**.

Senator Watson declared Rule 13 on **Senate Bill No. 2766**.

Senator McNally moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the section headings "71-5-3001", "71-5-3002", "71-5-3003", and "71-5-3004" in the amendatory language of Section 1 and by respectively substituting instead the section headings "71-5-2701", "71-5-2702", "71-5-2703", and "71-5-2704".

AND FURTHER AMEND in Section 71-5-2703(b)(3) [formerly 71-5-3003(b)(3)] by deleting the language "The TennCare Bureau" and by substituting instead the language "Evidence that the TennCare Bureau".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2766**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

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Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**Senate Bill No. 2791** -- Landlord and Tenant -- As introduced, permits landlord to terminate rental agreement if tenant creates a hazardous or unsanitary, instead of hazardous and unsanitary, condition on the property; deletes requirement that landlord notify tenant at time of lease signing of location of separate account for security deposits. Amends TCA Title 66, Chapter 28.

Senator Johnson declared Rule 13 on **Senate Bill No. 2791**.

Senator Campfield declared Rule 13 on **Senate Bill No. 2791**.

On motion, Senate Bill No. 2791 was made to conform with **House Bill No. 2913**.

On motion, House Bill No. 2913, on same subject, was substituted for Senate Bill No. 2791.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Section 3 in its entirety and by substituting instead the following:

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to rental agreements entered into or renewed on or after such date.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2913**, as amended, failed for lack of a constitutional majority by the following vote:

Ayes . . . . .	15
Noes . . . . .	7
Present, not voting . . .	4

Senators voting aye were: Beavers, Bell, Campfield, Crowe, Gresham, Johnson, Kelsey, Ketron, Massey, McNally, Summerville, Tate, Watson, Yager and Mr. Speaker Ramsey--15.

Senators voting no were: Berke, Finney, Harper, Herron, Kyle, Marrero and Stewart--7.

Senators present and not voting were: Ford, Henry, Roberts and Tracy--4.

A motion to reconsider was tabled.

Pursuant to Rule 62, **House Bill No. 2913**, as amended, was rereferred to Committee on Calendar.

**Senate Bill No. 2976** -- State Symbols -- As introduced, adds *Echinacea Tennesseeensis* as a state wildflower, along with the passion flower. Amends TCA Section 4-1-306.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the word "Tennesseenis" in 4-1-306(2) of the amendatory language of Section 1 and by substituting instead the language "Tennesseensis".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2976**, as amended, passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Ketron moved that **Senate Bill No. 2577** be withdrawn from the Senate, which motion prevailed.

Senator Johnson moved that **Senate Bill No. 2736** be placed at the heel of the Calendar for today, which motion prevailed.

Senator Ketron moved that **Senate Bill No. 2218**, as amended, be rereferred to Committee on State and Local Government, which motion prevailed.

**Senate Bill No. 2227** -- Intellectual & Developmental Disabilities, Dept. of -- As introduced, authorizes department to allow unlicensed individuals employed by licensed facilities to follow universal "do not resuscitate" orders in certain circumstances. Amends TCA Title 68.

On motion, Senate Bill No. 2227 was made to conform with **House Bill No. 2365**.

On motion, House Bill No. 2365, on same subject, was substituted for Senate Bill No. 2227.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

On motion of Senator Crowe, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 2365** passed its third and final consideration by the following vote:

Ayes .....	30
Noes .....	0

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Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

**Senate Bill No. 2736** -- Highway Signs -- As introduced, prohibits outdoor advertising on State Route 840 in Williamson County between State Route 246 and State Route 100; clarifies that former Interstate 181 in Washington and Sullivan counties is now called Interstate 26. Amends TCA Section 54-21-118.

On motion, Senate Bill No. 2736 was made to conform with **House Bill No. 2886**.

On motion, House Bill No. 2886, on same subject, was substituted for Senate Bill No. 2736.

**House Bill No. 2886** passed its third and final consideration by the following vote:

Ayes .....	30
Noes .....	0

Senators voting aye were: Barnes, Beavers, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

**NOTICES**

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2385, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2205, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,  
Chief Clerk.

MESSAGE FROM THE HOUSE

February 27, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 65, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,  
Chief Clerk.

RECALL OF BILL

On motion of Senator Ketron, **Senate Bill No. 2549** was recalled from the Committee on Judiciary.

WITHDRAWAL OF BILL

On motion of Senator Ketron, Senate Bill No. 2549 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Marrero, **Senate Bill No. 3419** was recalled from the Committee on Health and Welfare.

WITHDRAWAL OF BILL

On motion of Senator Marrero, Senate Bill No. 3419 was withdrawn from the Senate.

MOTION

On motion of Senator Massey, her name was added as prime sponsor of **Senate Bill No. 1286**.

On motion of Senator Southerland, his name was removed as sponsor of **Senate Bill No. 1286**.

On motion of Senator Tate, his name was added as prime sponsor of **Senate Bill No. 1804**.

On motion of Senator Marrero, her name was removed as sponsor of **Senate Bill No. 1804**.

On motion of Senators Faulk and Herron, their names were added as sponsors of **Senate Bill No. 2167**.

On motion of Senators Faulk and Massey, their names were added as sponsors of **Senate Bill No. 2227**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bill No. 2238; and Senate Joint Resolutions Nos. 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614**.

On motion of Senator Marrero, her name was added as sponsor of **Senate Bills Nos. 2266 and 2479**.

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On motion of Senators Burks and Marrero, their names were added as sponsors of **Senate Bills Nos. 2274, 2382 and 2755.**

On motion of Senator Harper, her name was added as sponsor of **Senate Bill No. 2357.**

On motion of Senators Burks and Stewart, their names were added as sponsors of **Senate Bill No. 2367.**

On motion of Senators Marrero, Massey, Overbey and Yager, their names were added as sponsors of **Senate Bill No. 2403.**

On motion of Senators Harper and Marrero, their names were added as sponsors of **Senate Bill No. 2766.**

On motion of Senator Faulk, his name was added as sponsor of **Senate Bill No. 2872.**

On motion of Senator Tracy, his name was added as sponsor of **Senate Bill No. 2944; and Senate Joint Resolutions Nos. 588 and 603.**

On motion of Senator Ford, her name was added as sponsor of **Senate Bills Nos. 2976 and 3390.**

On motion of Senators Burks, Marrero and Stewart, their names were added as sponsors of **Senate Bill No. 3071.**

On motion of Senator Massey, her name was added as sponsor of **Senate Bill No. 3116; and House Joint Resolution No. 559.**

On motion of Senators Kelsey, Kyle, Marrero, Norris and Tate, their names were added as sponsors of **Senate Bills Nos. 3250 and 3260.**

On motion of Senators Marrero and Stewart, their names were added as sponsors of **Senate Bill No. 3353.**

On motion of Senators Stewart and Tracy, their names were added as sponsors of **Senate Joint Resolution No. 602.**

On motion of Senator Herron, his name was added as sponsor of **Senate Joint Resolution No. 625.**

On motion of Senators Henry and Tracy, their names were added as sponsors of **House Joint Resolution No. 564.**

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 566.**

On motion of Senator Kelsey, his name was added as sponsor of **House Joint Resolution No. 568.**

**MONDAY, FEBRUARY 27, 2012 -- 56TH LEGISLATIVE DAY**

**ENGROSSED BILLS**

February 27, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2166, 2167, 2222, 2274, 2304, 2337, 2353, 2357, 2367, 2382, 2396, 2403, 2652, 2755, 2766, 2872, 2976, 3024, 3071, 3213, 3250, 3260, 3353, 3382, 3390 and 3556; and Senate Joint Resolutions Nos. 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2886, passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2913, passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 28, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1000, 2236, 2355, 2383, 2428, 2453, 2455, 2481, 2547, 2561, 2656, 2793, 2833, 2878 and 2936; passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 602, adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.

**MONDAY, FEBRUARY 27, 2012 -- 56TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 685, 687, 688, 689, 691, 692, 693, 694, 696, 697, 699, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710 and 711; adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2213 and 2260, substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2257, 2258, 2362 and 2650; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2557, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 585, 587, 588, 589, 592, 593, 594, 595, 596, 597, 598 and 600; concurred in by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 625, concurred in by the House.

JOE MCCORD,  
Chief Clerk.



**MONDAY, FEBRUARY 27, 2012 -- 56TH LEGISLATIVE DAY**

**ENROLLED BILLS**

February 28, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 2213, 2257, 2258, 2260, 2357, 2362 and 2650; and Senate Joint Resolutions Nos. 585, 587, 588, 589, 592, 593, 594, 595, 596, 597, 598, 600 and 625; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 27, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2397, 2405, 2545, 2653 and 2665; for the signature of the Speaker.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 28, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2365, 2376, 2455, 2561, 2598, 2638, 2756 and 2886; for the signature of the Speaker.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

February 28, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 566, for the signature of the Speaker.

JOE MCCORD,  
Chief Clerk.

**SIGNED**

February 28, 2012

The Speaker announced that he had signed the following: Senate Bills Nos. 1680, 2183, 2197, 2198, 2229, 2231, 2296, 2315, 2477, 2516, 2561, 2644, 2702, 2752, 2798, 2799, 2883 and 3194; and House Bills Nos. 2397, 2405, 2545, 2653 and 2665.

**SIGNED**

February 28, 2012

The Speaker announced that he had signed the following: House Bills Nos. 2365, 2376, 2455, 2561, 2598, 2638, 2756 and 2886.

**SIGNED**

February 28, 2012

The Speaker announced that he had signed the following: House Joint Resolution No. 566.

**MESSAGE FROM THE HOUSE**

February 28, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1680, 2183, 2197, 2198, 2229, 2231, 2296, 2315, 2477, 2516, 2561, 2644, 2702, 2752, 2798, 2799, 2883 and 3194; signed by the Speaker.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

February 28, 2012

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 2125, 2204, 2236, 2312, 2319, 2320, 2326, 2329, 2330, 2331, 2332, 2333, 2334 and 2336; and Senate Joint Resolutions Nos. 580, 582, 583 and 599; with his approval.

HERBERT H. SLATERY III,  
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 1, 2012: Senate Bills Nos. 2707, 2785, 2813, 2814, 2838, 3006, 3062 and 3124.

This the 28th day of February, 2012.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 1, 2012: Senate Joint Resolution No. 222; and Senate Bills Nos. 2506, 2658, 2651, 2710, 3236, 3240, 2140, 2169, 3116 and 3352.

This the 28th day of February, 2012.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Thursday, March 1, 2012: Senate Bills Nos. 65, 2205 and 2385.

This the 28th day of February, 2012.  
MIKE FAULK, Chairperson.

**MONDAY, FEBRUARY 27, 2012 -- 56TH LEGISLATIVE DAY**

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 9:00 a.m., Thursday, March 1, 2012, which motion prevailed.